

ADMIN,CLOSED

**U.S. District Court
District of Maine (Portland)
CIVIL DOCKET FOR CASE #: 2:01-cv-00031-DBH**

NAVIGATOR PUBLISHING v. TRANSPORTATION US, et al Date Filed: 01/29/2001
Assigned to: JUDGE D. BROCK HORNBY Date Terminated: 06/05/2001
Demand: \$0 Jury Demand: None
Case in other court: 01-01939 Nature of Suit: 895 Freedom of
Information Act
Cause: 05:552 Freedom of Information Act Jurisdiction: U.S. Government Defendant

Plaintiff**NAVIGATOR PUBLISHING LLC**

represented by **NICHOLAS H. WALSH**
111 COMMERCIAL STREET
PORTLAND, ME 04101
(207) 772-2191
Email: nwalsh@zwi.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**SECRETARY, UNITED STATES
DEPARTMENT OF
TRANSPORTATION**
TERMINATED: 04/26/2001

represented by **EVAN J. ROTH**
U.S. ATTORNEY'S OFFICE
DISTRICT OF MAINE
100 MIDDLE STREET PLAZA
PORTLAND, ME 04101
(207) 780-3257
Email: evan.roth@usdoj.gov
TERMINATED: 04/26/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

JAMES M LOY
*ADMIRAL, UNITED STATES COAST
GUARD*
TERMINATED: 04/26/2001

represented by **EVAN J. ROTH**
(See above for address)
TERMINATED: 04/26/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

VIVIEN S CREA
*REAR ADMIRAL, UNITED STATES
COAST GUARD*
TERMINATED: 04/26/2001

represented by **EVAN J. ROTH**
(See above for address)
TERMINATED: 04/26/2001
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**TRANSPORTATION, US DEPT.OF**

represented by **EVAN J. ROTH**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
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| 01/29/2001 | 1 | COMPLAINT filed; FILING FEE \$ 150.00 RECEIPT # 42271 (Service of Process Deadline 5/29/01) (mnm) (Entered: 01/29/2001) |

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| 01/29/2001 | | SUMMONS(ES) issued for TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA (mnm) (Entered: 01/29/2001) |
| 01/29/2001 | | CORPORATE DISCLOSURE STATEMENT per Local Rule 83.7 by NAVIGATOR PUBLISHING (mnm) (Entered: 01/29/2001) |
| 03/02/2001 | 2 | ANSWER to Complaint by TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA (Attorney EVAN ROTH), (mnm) (Entered: 03/05/2001) |
| 03/05/2001 | | RETURN of Service Executed as to TRANSPORTATION, US 2/2/01 (mnm) (Entered: 03/05/2001) |
| 03/05/2001 | | RETURN of Service Executed as to JAMES M LOY 2/2/01 (mnm) (Entered: 03/05/2001) |
| 03/07/2001 | 3 | REPORT of Conference of Counsel, set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING , set specific document deadline (re:response—in the event that the parties do not agree) for 3/14/01 for VIVIEN S CREA, for JAMES M LOY, for TRANSPORTATION, US (signed by MAG. JUDGE DAVID M. COHEN) cc: cns1 (mnm) (Entered: 03/07/2001) |
| 03/08/2001 | 4 | RESPONSE by NAVIGATOR PUBLISHING to [3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING (mnm) (Entered: 03/09/2001) |
| 03/08/2001 | 5 | AMENDED ANSWER to Complaint by TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA : amends [2–1] answer (mnm) (Entered: 03/09/2001) |
| 03/08/2001 | | Motion(s) referred: [4–1] motion RESPONSE by NAVIGATOR PUBLISHING to [3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING referred to MAG. JUDGE DAVID M. COHEN (mnm) (Entered: 03/15/2001) |
| 03/14/2001 | 6 | RESPONSE by TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA to Pltf's Response to Order #[3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING (slh) (Entered: 03/15/2001) |
| 03/15/2001 | | Motion(s) referred: [6–1] motion RESPONSE by TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA to Pltf's Response to Order #[3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING referred to MAG. JUDGE DAVID M. COHEN, [4–1] motion RESPONSE by NAVIGATOR PUBLISHING to [3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING referred to MAG. JUDGE DAVID M. COHEN (slh) (Entered: 03/15/2001) |
| 03/16/2001 | 7 | ORDER terminating [6–1] motion RESPONSE by TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA to Pltf's Response to Order #[3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING, terminating [4–1] motion RESPONSE by NAVIGATOR PUBLISHING to [3–1] order set specific document deadline (re:whether the parties agree to limited discovery and in the event that they do not agree to advise the court of the discovery the plaintiff wishes to conduct and the basis therefor) for 3/12/01 for NAVIGATOR PUBLISHING, set Motion Filing deadline to 4/16/01 (signed by MAG. JUDGE DAVID M. COHEN) cc: cns1 (mnm) (Entered: 03/16/2001) |

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| | | 03/16/2001) |
| 04/13/2001 | 8 | MOTION with memorandum in support by TRANSPORTATION, US, JAMES M LOY, VIVIEN S CREA for Judgment on the Pleadings ; Response to Motion due 5/4/01 for NAVIGATOR PUBLISHING (mnm) (Entered: 04/19/2001) |
| 04/25/2001 | 9 | MOTION with memorandum in support by NAVIGATOR PUBLISHING to Substitute Party UNITED STATES DEPT OF TRANSPORTATION for named pty dft NORMAN Y. MINETA, SEC., US DOT; no obj , to Dismiss all remaining personally named defendants; no obj (dw) (Entered: 04/25/2001) |
| 04/25/2001 | | Motion(s) referred: [9-1] motion to Substitute Party UNITED STATES DEPT OF TRANSPORTATION for named pty dft NORMAN Y. MINETA, SEC., US DOT; no obj referred to MAG. JUDGE DAVID M. COHEN, [9-2] motion to Dismiss all remaining personally named defendants; no obj referred to MAG. JUDGE DAVID M. COHEN (dw) (Entered: 04/25/2001) |
| 04/26/2001 | | ENDORSEMENT on Motion granting [9-1] motion to Substitute Party UNITED STATES DEPT OF TRANSPORTATION for named pty dft NORMAN Y. MINETA, SEC., US DOT; no obj, granting [9-2] motion to Dismiss all remaining personally named defendants; no obj (Granted in all respects.) (signed by MAG. JUDGE DAVID M. COHEN) cc: cnsl (mnm) (Entered: 04/26/2001) |
| 05/02/2001 | 10 | MOTION by NAVIGATOR PUBLISHING to Extend Time until May 18, 2001 to respond to Defendant's Motion for Judgment on the Pleadings (mnm) (Entered: 05/02/2001) |
| 05/02/2001 | | ENDORSEMENT on Motion granting [10-1] motion to Extend Time until May 18, 2001 to respond to Defendant's Motion for Judgment on the Pleadings, Response to Motion reset to 5/18/01 for NAVIGATOR PUBLISHING for [8-1] motion for Judgment on the Pleadings (signed by Melody Montanese, Deputy Clerk for JUDGE D. B. HORNBLY) cc: cnsl (mnm) (Entered: 05/02/2001) |
| 05/17/2001 | 11 | RESPONSE by NAVIGATOR PUBLISHING to [8-1] motion for Judgment on the Pleadings ; Reply to Response due 5/29/01 for TRANSPORTATION (mnm) (Entered: 05/18/2001) |
| 05/24/2001 | 12 | REPLY by TRANSPORTATION to response to [8-1] motion for Judgment on the Pleadings (mnm) (Entered: 05/25/2001) |
| 05/25/2001 | | Motion(s) taken under advisement: [8-1] motion for Judgment on the Pleadings under advisement (mnm) (Entered: 05/25/2001) |
| 06/05/2001 | 13 | MEMORANDUM OF DECISION granting [8-1] motion for Judgment on the Pleadings (signed by JUDGE D. B. HORNBLY) cc: cnsl (mmc) (Entered: 06/05/2001) |
| 06/05/2001 | 14 | JUDGMENT for TRANSPORTATION, US against NAVIGATOR PUBLISHING signed by William S. Brownell, Clerk. cc: cnsl (EOD: 6/5/01) (mmc) (Entered: 06/05/2001) |
| 06/05/2001 | | Case closed; Purge Appeal deadline set for 8/6/01 (mmc) (Entered: 06/05/2001) |
| 06/27/2001 | 15 | NOTICE OF APPEAL by NAVIGATOR PUBLISHING FILING FEE \$ 105.00 RECEIPT # 43399 (Reporter: none) (mnm) (Entered: 06/27/2001) |
| 06/27/2001 | | COPIES of Notice of Appeal sent to counsel. Parties: NAVIGATOR PUBLISHING, TRANSPORTATION (mnm) (Entered: 06/27/2001) |
| 06/27/2001 | | CERTIFICATE of Clerk (Form 83) Org docs #: 1-15 (mnm) (Entered: 06/27/2001) |
| 07/18/2001 | | USCA Case Number Re: [15-1] appeal by NAVIGATOR PUBLISHING USCA NUMBER: 01-1939 (bfa) (Entered: 07/18/2001) |
| 09/19/2001 | 16 | MANDATE/JUDGMENT OF USCA (certified copy) Re: [15-1] appeal by NAVIGATOR PUBLISHING Decision: appeal dismissed (bfa) (Entered: 09/20/2001) |

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| 09/20/2001 | | Record on appeal returned from U.S. Court of Appeals: [15-1] appeal by NAVIGATOR PUBLISHING (bfa) (Entered: 09/20/2001) |
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